

WHAT CAN AN OWNER OF A BOARDED HOUSE DO IF THEY RECEIVE AN ORDER BUT CANNOT COMPLY DUE TO PERSONAL REASONS?

They can appeal the order to the Standards and Appeals commission and propose a plan that will be acceptable as an alternative.

HELPFUL INFORMATION ON THE INTERNET

**1. Link to DNS site showing spec's for a
H.U.D. seal board-up:**

<http://www.city.milwaukee.gov/display/router.asp?docid=3706>

2. Link to DNS Landlord Training site:

<http://www.city.milwaukee.gov/display/router.asp?docid=1561>

**3. Link to Code 275-32-7.5 (Page 16 of 36)
in Milwaukee describing ordinance:**

<http://www.city.milwaukee.gov/display/router.asp?docid=1143>

4. Where to get a permit in Milwaukee:

<http://www.mkedcd.org/build/>

5. Listing of City Real Estate for sale:

<http://www.mkedcd.org/realestate/>

6. Main City of Milwaukee Home Page:

<http://www.city.milwaukee.gov>

Frequently Asked Questions?

Q. Where can a landlord obtain information about police activity at a property?

A. Anyone can request information of prior police police service at an address through the Open Records Section of the MPD. The request must either be submitted in writing or in person at The Open Records Section, 2333 N. 49th St., Milwaukee, WI 53210, 2nd Floor. Any further questions on what information is available, please call 935-7502.

Q. How do I access the City of Milwaukee Municipal Court System records?

A. Go to <http://www.court.ci.mil.wi.us/>

Q. How do I access the State of Wisconsin Court System records?

A. Go to <http://wcca.wicourts.gov/index.xsl>

Q. How do I contact the owner of a property in the City of Milwaukee?

A. Non-owner occupied property must be recorded. Go to
<http://www.city.milwaukee.gov/display/router.asp?docid=1566>

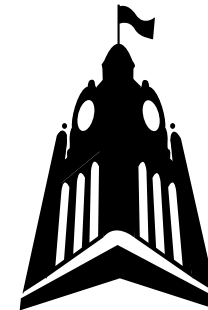
Q. Where can I find forms and applications for DNS?

A. <http://www.milwaukee.gov/dns>



produced by the
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Neighborhood Services**
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BOARDED UP RESIDENTIAL BUILDING ORDINANCE



**City
of
Milwaukee**

**Department
of
Neighborhood
Services**

DNS-29A V1.3 TNW 9/13/05

Milwaukee's Boarded Residential Building Code

For many years, Milwaukee's code allowed an owner to keep a residential building vacant and boarded as long as it was reasonably well maintained. However, a boarded house sends a very negative signal about a neighborhood. These buildings attract those with negative behaviors, they often they must be re-boarded at city expense and they make it difficult for next door neighbors to get fire insurance. The presence of a boarded house brings down the value of other properties on the same block.

In March of 2005 the City enacted a code change that says that the owner of a home that has been boarded and vacant for 6 months must begin to take steps toward fixing it up, tearing it down or selling it.

HOW IT WORKS

This code applies to vacant residential buildings that have been boarded for 6 months or more. After that time, DNS can issue the owner an order that requires the owner to take one of the following steps:

1. Remove the boards
2. Obtain a rehab permit and submit to DNS a plan to get the building rehabbed within 6 months.

3. Obtain a valid "mothball" permit the if the building is designated as a historic building or in a historic district.
4. Obtain a valid demolition permit.
5. List the building for sale with a MLS broker at a reasonable asking price and make the building available to be seen by potential buyers. The code states that assessed value is to be used by DNS to judge whether or not the sales price is reasonable.

DOES THIS CODE APPLY TO ALL BOARDED BUILDINGS?

No. It does not apply to commercial or mixed use buildings, but only to those that were constructed primarily for residential purposes.

WHAT ABOUT CITY OWNED HOUSES?

The houses that the City owns have been acquired through tax foreclosure. They are for sale per code. See the following web site for information.

<http://www.mkedcd.org/realestate/>

IF I OWN A BOARDED HOUSE, HOW CAN I APPEAL AN ORDER ISSUED UNDER THIS CODE?

The Standards and Appeals Commission, a body of private citizens, is authorized to hear such appeals. Appeal rights are listed on all DNS orders.

WHAT CAN HAPPEN IF I FAIL TO COMPLY WITH THE CODE?

The code allows the DNS to prosecute an owner and seek a municipal court forfeiture of from \$150 - \$5000. In addition, it provides for the use of periodic reinspection fees to recoup inspection costs. The City could also seek remedies in Circuit Court against the owner for maintaining a nuisance.

DO OTHER CODE PROVISIONS APPLY?

Yes. The building owner is required to maintain the building in compliance with all other codes. For example, all orders to keep the property painted and litter free would also need to be complied with by the owner. Additionally, in some circumstances the City could use shaming signs or condemnation and demolition remedies at the property.

WILL THIS CODE WIPE OUT THE PROBLEM OF ALL BOARDED RESIDENTIAL PROPERTY IN THE CITY?

No. Buildings become vacant and then boarded and un-boarded all the time, often for short periods. Buyers will sometimes board a house while it is undergoing renovation or when it is being prepared for demolition. This code only affects those that are vacant and boarded for more than 6 months. Additionally, not all owners of these buildings will be motivated by the potential penalties. Bankruptcies, un-probated estates and owners who cannot be located are examples.